

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 96

Introduced By: Flood, 19;
Read first time: January 5, 2007
Committee: Judiciary

A BILL

1 FOR AN ACT relating to criminal procedure; to amend section
2 29-2246, Revised Statutes Cumulative Supplement, 2006; to
3 redefine a term; and to repeal the original section.
4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 29-2246 Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 29-2246. For purposes of the Nebraska Probation
4 Administration Act and sections 43-2,123.01 and 83-1,102 to 83-1,104,
5 unless the context otherwise requires:

6 (1) Association means the Nebraska District Court Judges
7 Association;

8 (2) Court means a district court, county court, or juvenile
9 court as defined in section 43-245;

10 (3) Office means the Office of Probation Administration;

11 (4) Probation means a sentence under which a person found
12 guilty of a crime upon verdict or plea or adjudicated delinquent or in
13 need of special supervision is released by a court subject to
14 conditions imposed by the court and subject to supervision;

15 (5) Probationer means a person sentenced to probation;

16 (6) Probation officer means an employee of the system who
17 supervises probationers and conducts presentence, predisposition, or
18 other investigations as may be required by law or directed by a court
19 in which he or she is serving or performs such other duties as
20 authorized pursuant to section 29-2258, except unpaid volunteers from
21 the community;

22 (7) Juvenile probation officer means any probation officer
23 who supervises probationers of a separate juvenile court;

24 (8) Juvenile intake probation officer means an employee of
25 the system who is called upon by a ~~law-enforcement~~ peace officer
26 in accordance with section 43-250 to make a decision regarding the
27 furtherance of a juvenile's detention;

1 (9) Chief probation officer means the probation officer in
2 charge of a probation district;

3 (10) System means the Nebraska Probation System;

4 (11) Administrator means the probation administrator; and

5 (12) Non-probation-based program or service means a program
6 or service established within the district, county, or juvenile courts
7 and provided to individuals not sentenced to probation who have been
8 charged with or convicted of a crime for the purpose of diverting the
9 individual from incarceration or to provide treatment for issues
10 related to the individual's criminogenic needs. Non-probation-based
11 programs or services include, but are not limited to, drug court
12 programs established pursuant to section 24-1302 and the treatment of
13 problems relating to substance abuse, mental health, sex offenses, or
14 domestic violence.

15 Sec. 2. Original section 29-2246, Revised Statutes
16 Cumulative Supplement, 2006, is repealed.